

26(e) of the Federal Rules of Civil Procedure.

**REQUESTS FOR PRODUCTION**

**REQUEST NO. 1:**

1. All grievances, complaints, or other correspondence relating to, regarding or arising out of the incidents alleged in the Amended Complaint, including, but not limited to, all grievances or complaints submitted by each Plaintiff to Department of Correction personnel, responses thereto, and any related correspondence between each Plaintiff and Department of Correction personnel. *George Jackson has possession*

**REQUEST NO. 2:**

2. All correspondence relating to, regarding or arising out of the incidents alleged in the Amended Complaint, including, but not limited to, any correspondence between friends or family members of each Plaintiff or other inmates and Department of Correction personnel.

**REQUEST NO. 3:** *There is none*

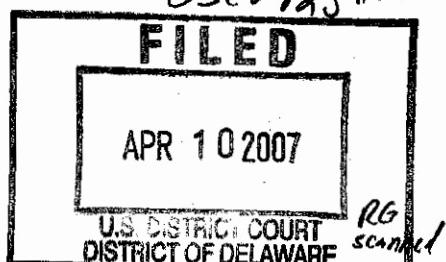
3. Any statements, declarations, petitions, or affidavits relating to, regarding or arising out of the incidents alleged in the Amended Complaint and any statements, declarations, or affidavits of each Plaintiff, other inmates, or witnesses to the allegations in the Amended Complaint. *There is none*

**REQUEST NO. 4:**

4. Any tests, reports, studies or any other documents relating to, regarding or arising out of the incidents alleged in the Amended Complaint.

**REQUEST NO. 5:** *There is none*

5. All criminal history records for each Plaintiff from any other state besides *05cv823\*\*\** Delaware for the past 15 years.



**REQUEST NO. 6:**

*DOC POSSESSION*

6. All medical records for each Plaintiff relating to, regarding or arising out of the incidents alleged in the Amended Complaint.

**REQUEST NO. 7:**

*DOC POSSESSION*

7. All medical records for each Plaintiff for the past 15 years.

**REQUEST NO. 8:**

*DOC POSSESSION*

8. Any and all document(s) referenced or identified in Plaintiff's Responses to Interrogatories served contemporaneously herewith.

*George Jackson has possession*

**STATE OF DELAWARE  
DEPARTMENT OF JUSTICE**

/s/ Eileen Kelly  
Eileen Kelly (I.D. 2884)  
Deputy Attorney General  
820 N. French St., 6<sup>th</sup> Floor  
Wilmington, DE 19801  
(302) 577-8400  
[eileen.kelly@state.de.us](mailto:eileen.kelly@state.de.us)  
Attorney for Defendants

Dated: March 8, 2007

*Timothy J. Kelly*

3-28-07

Timothy Lee Malloy

2. Identify the individual by whom it was made, the individual to whom it was directed, and all individuals present when it was made; and
3. Identify any document in which it was recorded, described or summarized; and
4. Identify any such document sought to be protected.

#### INTERROGATORIES<sup>1</sup>

- 1) With respect to each and every claim in the Amended Complaint:
  - (a) Identify all facts that refute, relate to, or support your contention;
  - (b) Identify the specific behavior or conduct that you allege that each Defendant engaged in;
  - (c) Identify all persons with knowledge of such contention or facts;
  - (d) Identify all documents that reflect, refer to or relate to such contention or facts.

#### RESPONSE:

- A. I agree with all the factual allegations in the amendment complaint.
- B. Defendants knew or reasonably have known that the kitchen's ventilation system was not working adequately.
- C. All the plaintiffs ~~and~~ defendants.
- D. Amended Amended complaint.

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<sup>1</sup> Please submit additional pages, if necessary.

- 2) Identify all documents which you intend to offer into evidence at the trial of this matter.

*At this time I don't have any.*

RESPONSE:

- 3) Identify all persons having knowledge of the allegations in the complaint or answer whom you intend to call as witnesses at trial, excluding expert witnesses.

RESPONSE: ~~complaint~~ plaintiffs and defendants.

- 4) Identify all persons whom you intend to call as witnesses at trial, excluding expert witnesses.

*plaintiffs and defendants.*

RESPONSE:

- 5) Identify any physical evidence which relates in any way to any of the facts alleged in the complaint or answer, or which you intend to offer in evidence at trial.

RESPONSE: At this time there are not any.

- 6) Identify each expert you expect to call to testify as a witness at trial and state for each such expert, (i) the qualifications of the expert, (ii) the subject matter on which the expert is expected to testify, (iii) the substance of the facts and opinions to which the expert is expected to testify and (iv) the summary of the grounds for such opinion.

RESPONSE: no expert at this time.

- 7) State the following about yourself:

- a. Full name, and any other names you have gone by or used,
- b. Social Security Number
- c. Date of birth, and any other date of birth you may have used or given,
- d. Place of birth
- e. Highest level of formal education that you successfully completed

RESPONSE:

A. Timothy Lee Mallot

B. 221-50-1455

C. 8-10-66

D. Delaware

F 10

- 8) Identify all of your criminal convictions in the past 15 years, including the court, jurisdiction, date of conviction, date of sentencing, and the terms of the sentence.

RESPONSE: *objection. This request has no relevance to plaintiffs claims.*

- 9) Identify all employment you have had in the past 15 years, including the name and address of each employer, name of supervisor, dates of employment, rate of pay, job title and responsibilities, and reason for termination.

*K-Tek Kitchen 2005 to  
2006*

RESPONSE:

*objection. This request has no relevance to  
plaintiffs claims.*

- 10) Identify all physicians you have seen or been treated by in the past 10 years, including name, office address, telephone number, dates of examination or treatment, and the medical problem involved, if any.

RESPONSE: *Doc has full control to this type  
of medical information.*

- 11) Identify and describe all accidents, injuries and ailments you have had in the past 15 years, including the history of any mental illness.

RESPONSE: Eye Surgeries

12) Identify in detail the precise injury or harm you allege was sustained as a result of the allegations in the Complaint. Severe eye irritation, heat exhaustion.

RESPONSE: pain and discomfort, humiliation, embarrassment, working in extreme condition of cold climate cause colds and flus.

13) Describe any medical treatment you received as a result of the allegations in the Complaint, specifically addressing:

- a. whether you requested any medical treatment at the Sussex Correctional Institution which you believe in any way resulted from the allegations in your complaint; and
- b. the date and method used for any request listed in subparagraph a. of this interrogatory.

RESPONSE: Eye Surger, Eye drops, cold medicine, Days off work.

14) State whether you filed a complaint or grievance at the correctional institution or with the Department of Correction about the subject matter of each and every claim in your

Complaint. If so, when were they filed, with whom were they filed, and what was the response?

If not, why not?

RESPONSE: My name was submitted with George Jackson's complaint, but was later informed that only one grievance was needed for the job issue. Doc rules.

15) State the total amount of compensatory damages you are claiming and the computation used to arrive at the sum.

RESPONSE: \$ one hundred thousand minimum  
To be fully compensated for each day I worked under the extreme working condition.

16) Either prior to or subsequent to the alleged incident(s) referred to in the Amended Complaint, have you ever suffered any injuries, illness or diseases in those portions of the body claimed by you to have been affected as alleged in the Amended Complaint? If so, state:

a. A description of the injuries or diseases you suffered, including the date and place of occurrence; Glaucoma

b. The names and addresses of all hospitals, doctors, or practitioners who rendered treatment or examination because of any such injuries or diseases.

RESPONSE: DOC IS IN POSSESSION OF ALL MEDICAL INFORMATION TO THIS ~~Q~~ INTERROGATORY.

- 17) Have you, or anyone acting on your behalf, obtained from any person any statement, declaration, petition, or affidavit concerning this action or its subject matter? If so, state:
- a. The name and last known address of each such person; and
  - b. When, where, by whom and to whom each statement was made, and whether it was reduced to writing or otherwise recorded.

RESPONSE: *not that I am aware of.*

~~STATE OF DELAWARE  
DEPARTMENT OF JUSTICE~~

~~/s/ Eileen Kelly  
Eileen Kelly (I.D. 2884)  
Deputy Attorney General  
820 N. French St., 6<sup>th</sup> Floor  
Wilmington, DE 19801  
(302) 577-8400  
eileen.kelly@state.de.us  
Attorney for Defendants~~

Dated: March 8, 2007

*Timothy Lee Mullen*

INMATE MAIL  
SUSSIX CORRECTIONAL INSTITUTION  
P.O. BOX 508  
GEORGETOWN, DELAWARE 19947

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